

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF NEW MEXICO

STATE OF NEW MEXICO <i>ex rel.</i>)	
State Engineer, <i>et al.</i> ,)	
)	
Plaintiffs,)	69cv07941-BB
)	
vs.)	RIO CHAMA STREAM SYSTEM
)	
ROMAN ARAGON, <i>et al.</i> ,)	Section 3: Canjilon Creek
)	Subfile No. CHCJ-003-0027
Defendants.)	CHCJ-003-0033A
_____)	

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and
pursuant to Fed. R. Civ. P. 25(c) respectfully moves the Court to issue its order
substituting as follows:

<u>Subfile No.</u>	<u>Previously Joined Defendant</u>	<u>New Defendant</u>
CHCJ-003-0027	Evaristo C. Montano	Tammy M. Baca
CHCJ-003-0033A	Evaristo C. Montano Hortance Montano	Jacob D. Montano Lawrence G. Montano Robert M. Montano Ortance Garcia

in these proceedings, and as grounds states as follows:

1. Plaintiff has been informed that defendant, Evaristo C. Montano, has transferred the property associated with CHCJ-003-0027 to Tammy M. Baca.
2. Plaintiff has been informed that defendants, Evaristo C. Montano and Hortance Montano, have transferred the property associated with

CHCJ-003-0033A to Jacob D. Montano, Lawrence G. Montano, Robert M. Montano and Ortance Garcia.

WHEREFORE the State of New Mexico requests the Court enter its order substituting Tammy M. Baca, Jacob D. Montano, Lawrence G. Montano, Robert M. Montano and Ortance Garcia for defendants, Evaristo C. Montano and Hortance Montano in these proceedings.

Dated: September 20, 2007

Respectfully submitted,

/s/ Chris Lindeen
L. Christopher Lindeen
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(505) 827-6150

CERTIFICATE OF SERVICE

I certify that on the 20th day of September, 2007 I filed the foregoing electronically through the CM/ECF system and served the following non-CM/ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Evaristo C. Montano
Hortance Montano
4401 Douglas MacAurthur Rd. NE
Albuquerque, NM 87109

Tammy M. Baca
5654 N. Division St.
Fort Lewis, WA 98433-1123

Jacob D. Montano
434 Reeves
Las Cruces, NM 88005

Lawrence G. Montano
2609 Naramis NE
Albuquerque, NM 87112

Robert M. Montano
5009 Montego Pl. NE
Albuquerque, NM 87111

Ortance Garcia
308 Glorieta NE
Albuquerque, NM 87123

/s/ Chris Lindeen
L. Christopher Lindeen